
ARTICLE V. DEVELOPMENT STANDARDS

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Division 1 General Provisions

35-501 General Provisions

(a) *Applicability*

The provisions of this Chapter shall apply to any Application for Development Approval, except as otherwise provided.

(b) *Administrative Exceptions*

- (1) To facilitate flexibility in design while maintaining the safety, health and welfare of the public, the Public Works Director may grant administrative exceptions to the following technical design requirements found in the following sections of Article V:
 - Section 35-502 Traffic Impact Analysis
 - Section 35-504 Stormwater Management
 - Section 35-505 Floodplain Development Standards
 - Section 35-506 Transportation and Street Design
 - Section 35-507 Utilities
 - Section 35-526 Parking & Loading Standards (parking stall dimensions and parking requirements not to exceed +/- 10 % of the required parking).
 - Section 35-527 Off-Street Truck Loading Requirements
- (2) No administrative exception shall be granted unless:
 - A. The Director of Planning certifies that the proposed exception does not conflict with the goals and policies of the Master Plan; and
 - B. The Applicant demonstrates, through documentation and/or studies, based on generally accepted engineering principles, that adherence to the standard provided by this Chapter would pose a threat to health and safety.
- (3) Where an administrative exception is not granted, or where an administrative exception is not permitted (as in the case of street connectivity, maximum parking requirements, and other items not enumerated in subsection (2), above), the applicant may seek a variance from the Planning Commission pursuant to §§ 35-483 or 35-484 in the case of subdivision plats, or an appeal or variance pursuant to §§ 35-481 or 35-482 in the case of zoning permits.

(c) *Site improvements.*

Streets, alleys, sidewalks and other site improvements required under the provisions of this chapter to be installed in subdivisions by the subdivider shall conform to the specification of this chapter and to the then current policies and regulations of the directors of public works, City Public Service, San Antonio Water System, or other approved utility districts or agencies involved with reference to payment for such installations, refunds, credits and other financial arrangements.

(d) Standard Specifications for Construction.

All construction shall meet the requirements as set forth in the city's "Standard Specifications for Public Works Construction," dated October 1995, as amended (hereinafter the "Standard Specifications"), to the extent not inconsistent with this Chapter. The "Standard Specifications for Public Works Construction" are hereby incorporated by reference as if set forth in their entirety herein. Copies of the document are on file in the office of the city clerk. To the extent that there is any inconsistency between the Standard Specifications and the provisions of this Chapter, the provisions of this Chapter shall govern.

Sampling and testing of materials and laboratory inspection of materials and processes shall be performed at the expense of the developer. Testing shall be in accordance with the City of San Antonio's Standard Specifications for Public Works Construction. Firms providing construction materials testing services must have an established in-house laboratory meeting the standards of the ASTM requirements.

(e) Americans with Disabilities Act

(1) Infrastructure

Infrastructure construction and improvements of facilities shall comply with the Americans with Disabilities Act of 1990 (42 U.S.C. Subsection 12181 et seq., Pub. L. 101-336 and implementing regulations at 28 C.F.R. parts 35 and 36). Applicants should consult the ADA Technical Assistance Manual from the U.S. Dept. of Justice on the Internet at <http://www.usdoj.gov/crt/ada/taman3.html>, and Technical Assistance Manual for State and Local Governments at <http://www.usdoj.gov/crt/ada/taman2.html>.

(2) Multifamily Housing

Multifamily housing development shall comply with section 804 (f)(5)(C) Fair Housing Amendments Act of 1988 and the implementing regulations codified at 24 CFR 100.205. Applicants should consult the Fair Housing Accessibility Guidelines from the U.S. Dept. of Housing and Urban Development on the internet at <http://www.hud.gov/fhefhag.html>. See also HUD Fair Housing Assistance Providers Web site: <http://www.hud.gov/fairhsg1.html>.

(f) Extended Warranty Bond

All subdivisions requiring streets and drainage improvements within the City of San Antonio and the Extraterritorial Jurisdiction shall be subject to a one (1) year maintenance bond.

Prior to acceptance of subdivision improvements, the developer shall provide the City with an extended warranty bond, issued by a corporate surety company licensed to transact business